

MAR 26 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

CATHERINE H.,
Plaintiff,
v.
NANCY A. BERRYHILL,
Acting Comm'r of Social Security,
Defendant.

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)
)
) Case No. 7:17-CV-00484
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)
)
) By: Michael F. Urbanski
) Chief United States District Judge
)

ORDER

This matter was referred to the Honorable Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The Magistrate Judge filed a report and recommendation on February 26, 2019, recommending that the plaintiff's motion for summary judgment be denied and the Commissioner's decision be affirmed.

Plaintiff had fourteen days in which to file objections to the report and recommendation. On March 6, 2019, plaintiff sought a forty-five day extension to gather evidence. ECF Nos. 17 and 18. Plaintiff was given an extension to March 23, 2019 to file objections and was ordered to submit no additional evidence because objections are limited to specific findings made in the report and recommendation. ECF No. 19.¹

¹ In the previous order, the court mistakenly stated that plaintiff had not contacted the court since she filed her initial complaint. However, plaintiff filed a brief in support of her complaint on March 12, 2018. ECF No. 13. The fact that she filed the brief does not affect the disposition of her case.

On March 11, 2019, one of plaintiff's caregivers submitted a letter on her behalf expressing support for plaintiff's claim for disability benefits. ECF No. 20. The court has reviewed the letter but as it fails to make specific objections, a de novo determination of the record or the magistrate judge's determination is not required. See 28 U.S.C. § 636(b)(1)(C) and United States v. Midgette, 478 F.3d 616, 621-622 (4th Cir. 2007) (holding that party must object to finding or recommendation with sufficient specificity so as to alert the district court to the true ground of the objection).

As no objections to the report and recommendation have been filed, the court finds that the report and recommendations should be adopted in its entirety. It is accordingly **ORDERED** and **ADJUDGED** that the Commissioner's motion for summary judgment (ECF No. 14) is **GRANTED**, the report and recommendation (ECF No. 16) is **ADOPTED in its entirety**, the Commissioner's decision is **AFFIRMED**, and this matter is **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this order to all counsel of record.

Entered: 03-26-2019

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge